

Assembly Bill No. 2477

CHAPTER 1044

An act to add and repeal Section 19836.1 of the Government Code, relating to state employees.

[Approved by Governor September 28, 2002. Filed
with Secretary of State September 28, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2477, Steinberg. State employees: excluded and exempt employees: salaries and benefits.

Existing law provides that the Department of Personnel Administration shall establish and adjust salary ranges for each class of position in the state civil service subject to any merit limits contained in the California Constitution. Existing law further provides that these salary ranges shall be based on the principle that like salaries shall be paid for comparable duties and responsibilities and that the department, in establishing or changing these ranges, consider the prevailing rates for comparable service in other public employment and in private business.

This bill would establish the State Excluded and Exempt Employees Salary-Setting Task Force, to consist of no more than 12 participants, as specified, to create a new process to address the status of salary and benefit levels of excluded and exempt employees, as defined, and to recommend that process to the Governor and the Legislature prior to July 1, 2004. The bill would require the task force, in preparing its recommendations, to consider the cost of living as reflected in specified indices, the compensation paid to comparable occupations or benchmark classes in California cities, counties, and special districts, the University of California System, the California State University, the federal government, and the private sector, the wages, benefits, and other compensation paid to rank-and-file state employees under approved memoranda of understanding, and excluded employee salaries, benefits, and other compensation items.

The bill would make the provisions governing the task force inoperative as of June 30, 2005, and would repeal these provisions on January 1, 2006.

The people of the State of California do enact as follows:

SECTION 1. Section 19836.1 is added to the Government Code, to read:

19836.1. (a) For purposes of this section:

(1) “Excluded employee” means the same as in subdivision (b) of Section 3527.

(2) “Excluded employee organization” means the same as in subdivision (d) of Section 3527.

(3) “Exempt employee” means a state employee who is exempt pursuant to subdivision (e), (f), or (g) of Section 4 of Article VII of the California Constitution.

(b) There is in state government the State Excluded and Exempt Employees Salary-Setting Task Force, which shall be formed to create a new process to address the status of salary and benefit levels of excluded and exempt employees. The task force shall, prior to July 1, 2004, recommend to the Governor and the Legislature a process that can identify and implement equitable salary and benefit changes over time for excluded and exempt positions in state government.

(c) The task force shall consist of no more than 12 participants. Six participants representing state management shall be appointed by the Director of the Department of Personnel Administration and six participants shall be appointed by excluded employee organizations registered with the state. No person may receive compensation for serving as a member except that release time shall be granted by the state for employee organization members who are employed by the State of California. The chair of the task force shall be the Director of the Department of Personnel Administration, or his or her designee.

(d) Any process recommended by the task force shall at least include consideration of the following:

(1) The cost of living, as reflected in the Consumer Price Index, the West Coast Index, and other key California statistics from the Bureau of Labor Statistics of the United States Department of Labor, San Francisco and Los Angeles.

(2) Compensation paid to comparable occupations or benchmark classes in California cities, counties, and special districts, the University of California System, the California State University, the federal government, and the private sector.

(3) Wages, benefits, and other compensation paid to rank-and-file state employees under approved memoranda of understanding.

(4) Excluded employee salaries, benefits, and other compensation items.

(e) In preparing its recommendation, the task force shall consider the history of excluded employee salary and benefit changes, the timing of the change in the compensation process, factors affecting excluded employee compensation, and the provisions of the excluded employee compensation package.



(f) The State Excluded and Exempt Employees Salary-Setting Task Force shall remain in existence until June 30, 2005, and as of that date this section is inoperative. This section is repealed as of January 1, 2006, unless a later enacted statute, enacted on or before January 1, 2006, deletes or extends that date and the task force's existence.

